

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Justin Samuels

10 CIV. 7805

(In the space above enter the full name(s) of the plaintiff(s).)

-against-

William Morris Agency

Creative Artists Agency

**COMPLAINT  
FOR EMPLOYMENT  
DISCRIMINATION**

Jury Trial:  Yes  No

(check one)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. Typically, the company or organization named in your charge to the Equal Employment Opportunity Commission should be named as a defendant. Addresses should not be included here.)

This action is brought for discrimination in employment pursuant to: (check only those that apply)



Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*



Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

*NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.*



Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

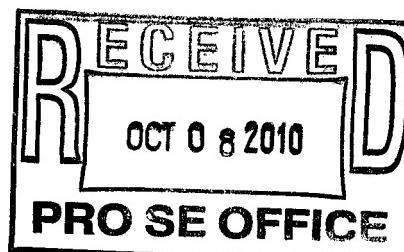
*NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.*



New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).



New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).



**I. Parties in this complaint:**

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name Justin Samuels  
Street Address 164 East 100th Street; Apt. 6  
County, City New York, New York  
State & Zip Code NY 10029  
Telephone Number 646-610-0830

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name Creative Artists Agency  
Street Address 162 5th Avenue, 6th Floor  
County, City New York, NY  
State & Zip Code NY 10010  
Telephone Number 212.277.9000

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer Creative Artists Agency  
Street Address 2000 Avenue of the Stars  
County, City Los Angeles, Los Angeles  
State & Zip Code CA 90067  
Telephone Number 424.288.2000

**II. Statement of Claim:**

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (*check only those that apply*)

- Failure to hire me.  
 Termination of my employment.  
 Failure to promote me.  
 Failure to accommodate my disability.  
 Unequal terms and conditions of my employment.

\_\_\_\_\_ Retaliation.

\_\_\_\_\_ Other acts (specify): \_\_\_\_\_

**Note:** Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

- B. It is my best recollection that the alleged discriminatory acts occurred on: 11/19/08 and 09/23/08.  
*Date(s)*

- C. I believe that defendant(s) (check one):

is still committing these acts against me.

\_\_\_\_\_

is not still committing these acts against me.

- D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

race Black

color \_\_\_\_\_

gender/sex \_\_\_\_\_

religion \_\_\_\_\_

national origin \_\_\_\_\_

age. My date of birth is \_\_\_\_\_ (*Give your date of birth only if you are asserting a claim of age discrimination.*)

disability or perceived disability, \_\_\_\_\_ (*specify*)

- E. The facts of my case are as follow (attach additional sheets as necessary):

The defendants lock out black and other non white screenwriters. In order for a screenwriter to submit to the defendants, one must have an industry referral. Such a referral is a referral from a major figure in the film industry that does business with them, such as a director or producer. Unfortunately, as most of the people in these positions are white, this effectively locks out black non white screenwriters. This effectively bars me and all others deemed to be outsiders from being able to realistically pursue a career as a screenwriter. I personally received an e-mail from Creative Artists Agency telling me that they didn't accept any unsolicited submissions or communications on 09/23/2008. I got a similar e-mail from William Morris Agency on 11/19/08. (See Attachment)

**Note:** As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

### III. Exhaustion of Federal Administrative Remedies:

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: Jan 03, 2009 (*Date*).

B. The Equal Employment Opportunity Commission (*check one*):

has not issued a Notice of Right to Sue letter.  
 issued a Notice of Right to Sue letter, which I received on 08/31/2010 (Date).

*Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.*

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (*check one*):

60 days or more have elapsed.  
 less than 60 days have elapsed.

**IV. Relief:**

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: Creative Artists Agency and William Morris Agency pay damages to me. I wrote 8 scripts, and I estimate them to be worth a million each. Therefore I am do 8 million in damages.

The agencies should read my work and work with me to sell it. They should open their recruitment of writers.

*(Describe relief sought, including amount of damages, if any, and the basis for such relief.)*

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12 day of Oct, 2010.

Signature of Plaintiff

Address

*Jeffrey Zell  
167 E 100th Street  
Appt. 6  
New York, NY 10029*

Telephone Number

646-610-0930

Fax Number (*if you have one*)

Statement of Claim

As I was previously told by staff at the defendants, I would need to have this industry referral to be even read (one's script must be read before they can consider a writer for representation). Over a period of years, I've contacted them to be similarly rebuffed. The problem with that is, in order to submit a script to mainstream producers and directors, one needs an agent. This catch 22 locks out me and other black/non white screenwriters, and only allows a few favored whites to be even considered for screenwriting opportunities, be it script sales or work for hire. The specific **DAMAGES** to me are **I'm completely locked out of having a career in screenwriting because of the practices of the film industry, in specific Creative Artists Agency and William Morris Agency because of the systematic racial discriminatory practices instituted by Creative Artists Agency and William Morris Agency.** Despite my having a good education and despite the fact I've worked hard on the 8 screenplays I've written, its become quite clear no amount of work I can do will get around the illegal recruiting practices of Creative Artists Agency and the William Morris Agency, which essentially state one must be a friend or close relative of an influential film industry person (who are mostly white). Finding out all my work has been for nothing was totally devastating to me. The fact I can have a liberal arts degree from a place like Cornell University and still be told that because I'm not a member of the right racial and social crowds is extremely distressing, and the fact it can happen in the 21<sup>st</sup> century is appalling.

**Second Defendants**

This defendant, the William Morris Agency, since its merger with Endeavor is now called William Morris Endeavor Entertainment (this occurred after I made the EEOC claim).

**Local Address**

William Morris Agency  
1325 Avenue of the Americas #2  
New York, NY 10019-6047  
(212) 586-5100

**Address Where I Sought Employment**

William Morris Agency  
151 El Camino Dr  
Beverly Hills, CA 90212-2704  
(310) 859-4000

**NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)**

To: **Justin Samuels**  
**164 East 100th Street Apt 6**  
**New York, NY 10029**

From: **San Diego Local Office**  
**555 W. Beech Street**  
**Suite 504**  
**San Diego, CA 92101**

On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.	EEOC Representative	Telephone No.
<b>480-2009-00935</b>	<b>Marla B. Stern-Knowlton, Local Office Director</b>	<b>(619) 557-7284</b>

*(See also the additional information enclosed with this form.)*

**NOTICE TO THE PERSON AGGRIEVED:**

**Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA):** This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court **WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- More than 180 days have passed since the filing of this charge.
- Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
- The EEOC is terminating its processing of this charge.
- The EEOC will continue to process this charge.

**Age Discrimination in Employment Act (ADEA):** You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS of your receipt of this Notice.** Otherwise, your right to sue based on the above-numbered charge will be lost.
- The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

**Equal Pay Act (EPA):** You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

8/31/2010

Enclosures(s)

**Marla B. Stern-Knowlton,  
Local Office Director**

*(Date Mailed)*

CC:

**Richard Lovett**  
**President**  
**CREATIVE ARTISTS AGENCY**  
**2000 Avenue of the Stars**  
**Los Angeles, CA 90067**

**NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)**

To: **Justin Samuels**  
**164 East 100th Street, Apt 6**  
**New York, NY 10029**

From: **San Diego Local Office**  
**555 W. Beech Street**  
**Suite 504**  
**San Diego, CA 92101**

*On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))*

EEOC Charge No.	EEOC Representative	Telephone No.
<b>488-2009-00731</b>	<b>Marla B. Stern-Knowlton,      Local Office Director</b>	<b>(619) 557-7284</b>

*(See also the additional information enclosed with this form.)*

**NOTICE TO THE PERSON AGGRIEVED:**

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If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

**Marla B. Stern-Knowlton,  
 Local Office Director**

*(Date Mailed)*

Enclosures(s)

cc:  
**Dave Wirtschafter**  
**President**  
**WILLIAM MORRIS AGENCY**  
**One William Morris Place**  
**Beverly Hills, CA 90212**